

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : ANTHONY H. CINCOTTA
Serial No. : 10/821,233
Filed : April 8, 2004
For : METHODS OF TREATING METABOLIC
SYNDROME USING DOPAMINE RECEPTOR
AGONISTS
Examiner :
Attorney Docket : 102546-100
Group Art Unit :
Confirmation No. : 9564
Customer No. : 27267

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on 16 Nov 2004.

By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicant

SUBMISSION OF SUBSTITUTE OATH AND DECLARATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With respect to the response to the Notice to File Missing Parts of Non-Provisional Application, mailed by Applicant on June 30, 2004, Applicant herewith submits a Substitute Oath and Declaration to correct a typographical error and to make the priority claims consistent with USPTO records.

Applicant submits that the Oath and Declaration submitted with the response on June 30, 2004 included a typographical error on the priority claim to U.S. Provisional Patent Application Ser. No. 60/399,180 filed July 29, 2002 (U.S. Ser. No. 60/399,189 was incorrectly identified). Following this submission, the filing receipt issued by the Patent

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Office indicated that the priority claim to U.S. Ser. No. 60/399,189 was not consistent with USPTO records.

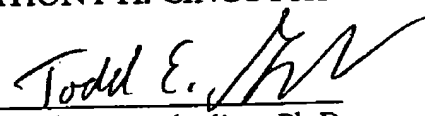
To address this error, Applicant submits herewith a new Oath and Declaration that correctly identifies priority provisional application Ser. No. 60/399,180 filed July 29, 2002, and respectfully request that such Oath and Declaration be made of record in the application. Separately, Applicant will request a corrected filing receipt from the Office of Initial Patent Examination (OIPE) to reflect the correct recitation of priority claims.

Please charge any fees due with this response to Deposit Account No. 23-1665.

Respectfully submitted;

ANTHONY H. CINCOTTA

By


Todd E. Garabedian, Ph.D.
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Date:

16 Nov 2004

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COMBINED DECLARATION AND POWER OF ATTORNEY FOR SOLE INVENTOR

1. As below named sole inventor, I hereby declare that my address and citizenship are as stated below next to my name. I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS OF TREATING METABOLIC SYNDROME USING
DOPAMINE RECEPTOR AGONISTS**

the specification of which:

☐ is attached or

☒ was filed on April 8, 2004 as Serial No. 10/821,233.

2. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.
3. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56.
4. ☐ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application Serial No.	Date of Filing (day, mo., yr.)	Priority Claimed under 35 U.S.C. § 119	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

5. ☒ I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), § 365(c) of any PCT international application designating the United States of America, and § 119(e) of any United States provisional application(s) that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application(s) and the filing date of this application:

Application Serial No.	Filing Date	Status
10/627,014	25 July 2003	Pending
60/399,180	29 July 2002	Pending

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

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Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7. As named inventor, I hereby appoint the following attorneys of Wiggin and Dana LLP to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Dale L. Carlson, Reg. No. 28,784; Todd E. Garabedian, Ph.D., Reg. No. 39,197; Gregory S. Rosenblatt, Reg. No. 32,489; Timothy J. Olson, Reg. No. 42,962; Elizabeth A. Geschke, Reg. No. 52,941; and William A. Simons, Reg. No. 27,096.

8. Please send all correspondence to:

Docket Coordinator
Intellectual Property Law Section
Wiggin and Dana LLP
One Century Tower
New Haven, Connecticut 06508-1832
Telephone: (203) 498-4400
Fax: (203) 782-2889

Customer No:

27267

9. ☒ As named inventor, I hereby appoint the attorneys listed in paragraph 7 as my domestic representatives for the invention identified in paragraph 1 with full power of substitution and revocation, to transact all business in the U.S. Patent and Trademark Office and in the U.S. courts in connection therewith. They also designated as domestic representative on whom process or notice of proceedings affecting the application or patents issuing therefrom may be served.
- ☐ I hereby authorize the U.S. attorneys named in paragraph 7 to accept and follow instruction from _____ as to any actions to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and me. In the event of a change in the persons from whom instructions may be taken, I will notify the U.S. attorneys.

11. Inventor Information:

Full name of first inventor: Anthony H. Cincotta
Inventor's Signature: Anthony H. Cincotta
Date: 4/04/04 Citizenship: USA
Residence: 158 Lake Road, Tiverton, RI 02878
Post Office Address: 158 Lake Road, Tiverton, RI 02878

This is the end of the listing of inventors.

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